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February 11, 2014

*Via E-Mail – mabely@fec.gov
& Regular U.S. Mail*

Marianne Abely, Esq.
Federal Election Commission
Enforcement Division
999 East Street, NW
Washington, DC 20463

Re: Gary Husk
MUR 6465

Dear Ms. Abely:

This correspondence is to formally advise you that the criminal matter involving Gary Husk in Maricopa County Superior in Phoenix, Arizona was recently resolved. As you may recall, Mr. Husk and his company, Husk Partners, Inc., were indicted on a total of fifteen felonies alleging prohibited political contributions made by his former employees. It is worth noting that none of these allegations dealt with improprieties regarding the Fiesta Bowl.

After providing the Arizona Attorney General's Office with substantial and persuasive exculpatory evidence, prosecutors agreed to dismiss all felony charges in return for Mr. Husk pleading to a single misdemeanor. As you know, it is highly unusual for so many felonies to be summarily dismissed shortly after an indictment. However, I believe this resolution is a direct reflection of the lack of credible evidence against Mr. Husk. While he had absolutely no doubt that he would be acquitted after a jury trial, Mr. Husk recognized that such a process would take an immeasurable economic and emotional toll on his family. Therefore, he made a conscious decision to bring closure to four years of investigations in return for a relatively minor infraction that had nothing to do with the Fiesta Bowl Scandal.

Inasmuch as the investigation and case has been concluded, Mr. Husk is now a position to provide you with additional exculpatory evidence. This includes the following list of exhibits.

Exhibit 1 is packet of information provided to the Arizona Attorney General that provides extensive evidence that the Fiesta Bowl reimbursement scheme existed for at least five years before Mr. Husk is alleged to have authorized the practice. Exhibit 2 is a report prepared by the Arizona Attorney General's Office after an interview with John Junker in which he admitted that he was responsible for creating the reimbursement scheme and that Mr. Husk did not have knowledge of the same until it was made public. Exhibit 3 is an affidavit by Mr. Husk in which

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he unequivocally states that he had no knowledge of the political contributions and/or Fiesta Bowl reimbursements cited by the Federal Elections Commission.

I believe the foregoing information, not previously disclosed to the FEC, clearly exonerates Mr. Husk of any wrongdoing related to the Fiesta Bowl. In addition, the Arizona Attorney General, after four years, failed to establish that Mr. Husk : (a) solicited the political contributions from Fiesta Bowl employees, (b) informed the Fiesta Bowl employees that they would be reimbursed for their political contributions, (c) had any knowledge that the Fiesta Bowl employees were, in fact, reimbursed for their political contributions. Should this matter proceed to a hearing, Mr. Husk intends to present such exculpatory evidence.

In light of this new evidence, I do not believe the FEC has reasonable basis for proceeding against Mr. Husk with a civil enforcement action. I would, therefore, request that this matter be dismissed based upon insufficient evidence of any violation by Mr. Husk. Obviously, both the United States Attorney for the District of Arizona and the Arizona Attorney General arrived at similar conclusion after extensive investigations conducted into the Fiesta Bowl activities.

Thank you for your attention in this matter.

Very truly yours,



Andrew Abraham
For the Firm

AA/tlr
Enclosures

